IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 19872 of 1994

Between:

Prof. B.H. Briz Kishore, Professor, School of Environment

And Water Resources, Jawaharlal Nehru Technological University,

Hyderabad.

..... PETITIONER

AND

1.Jawaharlal Nehru Technological University, rep., by its Registrar,

Hyderabad-500 028.

2.State of Andhra Pradesh, rep., by its Secretary, Education Department,

Government of Andhra Pradesh, Secretariat, Hyderabad.

3.The Director of Technical Education, Government of Andhra Pradesh,

Hyderabd.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or directions one in the nature of writ of Mandamus by directing the Jawaharlal Nehru Technological University (a). to obtain and record all my service particulars at NGRI Osmania University and at JNTU till now and give a duplicate service book duly obtaining my signatures in the original service book specifying a date within which it has to be completed, (b). to quash the orders of the University issued vide Proceedings No.C3/1897/94, Vol. III, dated 25-10-1994, and direct JNTU to sanction increments for the year 1991, 1992, 1993 and 1994, correct due date of increment i.e., 01-10-1991, draw my arrears of incremental pay and allowance along with interest till the date of payment, (c). to direct JNTU to make payment of duty pay and allowances for 02-03-1991, (d). the direct the respondent to

pass orders granting E.L., for the period between 01-08-1993 and 27-09-1993 and also direct JNTU for payment of leave salary for the said period with interest thereon specifying a fixed date for such payment, (e). to direct the respondent-University to convert the extraordinary leave granted for the period covered between 01-01-1991 to 28-02-1991 into 'leave not due' as per the rules, (f). to direct the respondent-University to draw my arrears of pay and allowances in the scale of Rs.6300-200-7300 for the period between 28-02-1991 and 02-03-1991, the date upto which I was entitled for pay in the said scale along with interest due.

Counsel for the Petitioner: MR.PRATAP NARAYAN SANGHI

Counsel for the Respondents: M/S.C.KODANDA RAM, STANDING

COUNSEL.

The Court made the following:

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.19872 OF 1994

ORAL ORDER:

Heard both sides.

2. The reliefs sought for by the petitioner are as under:

(a). to obtain and record all my service particulars at NGRI Osmania University and at JNTU till now and give a duplicate service book specifying a date within which it has to be completed,

(b). to quash the orders of the University issued vide Proceedings No.C3/1897/94, Vol.III, dated 25-10-1994, and direct JNTU to sanction increments for the year 1991, 1992, 1993 and 1994, correct due date of increment i.e., 01-10-1991, draw arrears of my incremental pay and allowance along with interest till the date of payment,

(c). to direct JNTU to make payment of duty pay and allowances for 02-03-1991,

(d). to direct the respondent-University to pass orders granting E.L., for the period between 01-08-1993 to 27-09-1993, and also direct JNTU for payment of leave salary for the said period with interest thereon specifying a fixed date for such payment'

(e). to direct the respondent-University to convert the extraordinary leave granted for the period covered between 01-01-1991 and 28-02-1991 into 'leave not due' as per the rules'

(f). to direct the respondent-University to draw my arrears of pay and allowance in the scale

of Rs.6300-200-7300 for the period between 28-02-1991 and 02-03-1991, the date upto which I was entitled for pay in the said scale along with interest due.

3. Now, it is brought to the notice of this Court that the first respondent-University has issued a Memo No.08/5021/2001, dated 24-03-2001, wherein it was informed that the request of the petitioner for counting of past service rendered by him at NGRI cannot be considered as the same was not contemplated in the Revised Pension Rules for JNTU Teachers 1992.

4. Obviously, the proceedings, dated 24-03-2001, are not under challenge. Inasmuch as these proceedings are issued during the pendency of the present writ petition, the writ petition is liable to be closed since the said proceedings, dated 24-03-2001, are not under challenge.

5. It is made clear that in view of the latest proceedings in Memo No.08/5021/2001, dated 24-03-2001, issued by the first respondent-University, it is open for the petitioner to assail the same, if so desired.

6. Accordingly, the writ petition is closed. However, there shall be no order as to costs.

D.S.R.VARMA, J

05TH NOVEMBER 2004

KRK

To:

1.The Registrar, Jawaharlal Nehru Technological University, Hyderabad-500 028.

2.The State of Andhra Pradesh, rep., by its Secretary, Education Department, Government of Andhra Pradesh, Secretariat, Hyderabad.

3.The Director of Technical Education, Government of Andhra Pradesh, Hyderabad.

4.Two CD copies.